



DEPARTMENT OF THE NAVY
SPACE AND NAVAL WARFARE SYSTEMS COMMAND
4301 PACIFIC HIGHWAY
SAN DIEGO, CA 92110-3127

SPAWARINST 5000.20A
SPAWAR 00C
24 Dec 1997

SPAWAR INSTRUCTION 5000.20A

From: Commander, Space and Naval Warfare Systems Command

Subj: ADMINISTRATION OF CONTRACTOR EMPLOYEES WORKING IN SPAWAR
HEADQUARTERS FACILITIES

Ref: (a) Updated Operating Agreement between SPAWAR and PEO-SCS of 7 Jul 92
(b) PEO-SCS Policy Memorandum 93-4 of 8 Jul 93
(c) Office of Federal Procurement Policy (OFPP) Policy Ltr 92-1 of 23 Sep 92
(d) FAR 45.302-1
(e) SPAWARINST 5510.3H of 20 Dec 88

Encl: (1) Authorization Form for use of SPAWAR Headquarters Facilities or Equipment by
Contractor Employees

1. Purpose. To establish policy and procedures for use of SPAWAR headquarters facilities or equipment by contractor employees.

2. Cancellation. SPAWARINST 5000.20 is hereby cancelled.

3. Scope. This instruction applies to all SPAWAR headquarters personnel, facilities and equipment. In accordance with reference (a), this instruction also applies to all Program Executive Office-Space Communications and Sensor (PEO-SCS) personnel, facilities and equipment. Administration of contractor employees working at SPAWAR field activities is governed by separate field activity instructions. This instruction does not apply to one-time visits to SPAWAR headquarters required for attending single purpose meetings or picking-up and/or delivering documents.

4. Definition. Contractor employees are persons employed by commercial firms under contract to the government.

5. Policy. Use of SPAWAR headquarters facilities or equipment by contractor employees will be authorized by Deputy Commander, SPAWAR (Code 03) only when necessary to conduct business for SPAWAR headquarters and when approved in accordance with this instruction. PEO employees shall follow the guidance in reference (b), and shall route requests for contractor use of SPAWAR facilities and/or equipment via PEO to SPAWAR 03. Additionally, use of SPAWAR headquarters facilities or equipment by contractor employees will be authorized only if all four of the conditions noted below exist.

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- a. The relevant contract explicitly states the facilities and/or equipment that are to be used by the contractor.
- b. Special precautions are taken to avoid instances of improper use of contractor employees for personal services.
- c. Special precautions are taken to avoid contractor performance of inherently governmental functions: activities of a policy-making, decision making or managerial nature as defined by reference (c).
- d. Providing of government property is appropriate pursuant to applicable regulation in accordance with reference (d).

6. Action.

a. All SPAWAR and PEO-SCS personnel shall refrain from supervising contractor employees, except in unusual situations where a personal services contract exists.

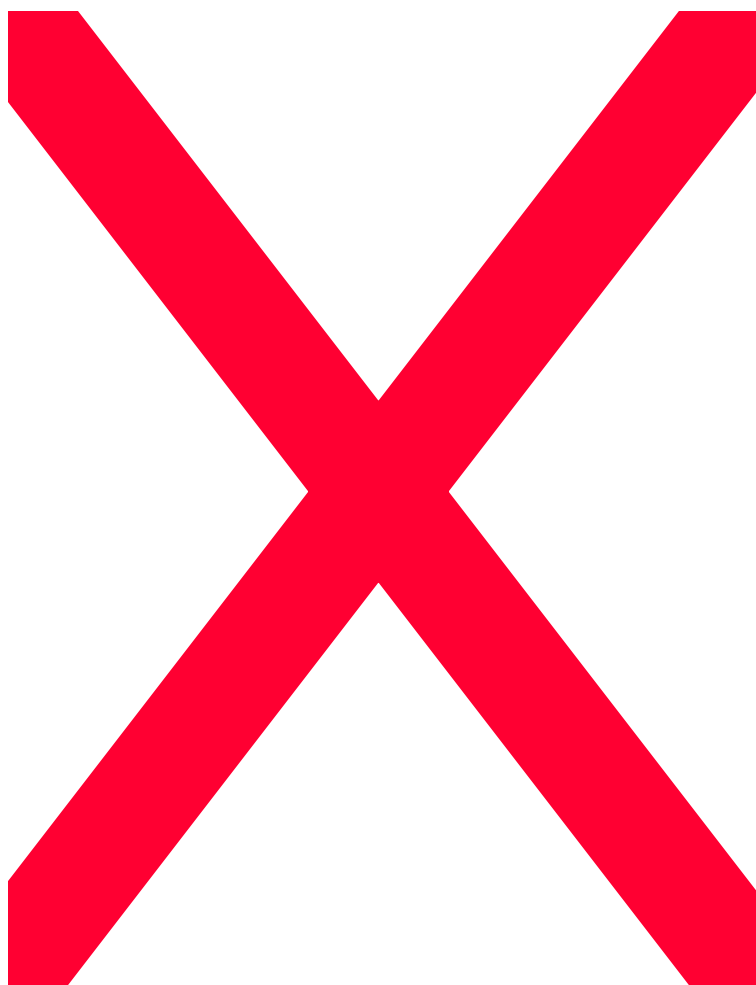
b. All Heads of SPAWAR Directorates and Staff Codes and PEO-SCS shall:

(1) Adhere to policy set forth in this instruction. For new contractor support services contracts, the contractor shall be requested to bid both on government site and off government site rates and a determination will be made as to which is most advantageous to the government. Where contract employees work on-site, ensure that the contract explicitly states facilities and/or equipment that are to be used by the contractor; that precautions are taken to avoid instances of improper use of contractor employees for personal services; and that precautions are taken to avoid contractor performance of inherently governmental functions. Unless these conditions are met, contractor employees shall not be permitted to use SPAWAR headquarters facilities and/or equipment.

(2) Ensure that contracts include specific requirements for contractor use of SPAWAR headquarters facilities and equipment where it is necessary that contractor employees work on-site. Coordinate with Contracts Directorate personnel to ensure that appropriate measures are in place to preclude violation of policy set forth by this instruction.

(3) Provide security information as required by Section 14 of reference (e) for all contractor employees working in SPAWAR headquarters facilities prior to authorizing the use of SPAWAR facilities and/or equipment (or within 30 days of the date of this instruction for personnel working on-site prior to its issuance).





AUTHORIZATION FOR USE OF SPAWAR HEADQUARTERS
FACILITIES OR EQUIPMENT BY CONTRACTOR EMPLOYEES

Name: _____

Company: _____

Contract No.: _____

SPAWAR Location: _____
(Building/Rm No.)

Does contract require access to classified information? _____

Task No. (if applicable): _____

Contract Completion Date: _____
Month / Day / Year

Contractor Employee's Supervisor _____
Name Phone

Duration of on-site requirement: From _____ To _____
M/D/Y M/D/Y

Equipment Required: Desk _____ Computer _____ Telephone _____
Other (describe): _____

Level of Security Clearance: _____

U.S. Citizenship: Yes _____ No _____

Is the requirement to use SPAWAR facilities and equipment fully specified in the contract?
Yes _____ No _____

Description of tasks to be performed and justification for use of SPAWAR facilities or equipment (if "No" to above question). Indicate what precautions will be taken to avoid instances of improper use of contractor employees for personal services; and contractor performance of inherently governmental functions (Use additional sheets, as required):

Authorization Requested by:

Signature Code Date

Contracts Review – SPAWAR 02:

Signature Code Date

Legal Review – SPAWAR OOC:

Signature Code Date

Authorization Approved by Deputy Commander, SPAWAR (Code 03):

Signature Code Date